



# **Campaigning for an Independent NHS Complaints Service**

## **FREQUENTLY ASKED QUESTIONS**

### **Question 1: Isn't there already a Complaints Process?**

**Answer:** Yes, there is. However, from the lived experiences of our members, we have all identified many serious flaws with how the current system is operated by NHS Trusts. For example, investigations undertaken by the Trust's own staff (with little, if any, training), seconded from their clinical duties, to investigate their own colleagues, with the obvious pressures from management to not cause their employers any "bad press".

### **Question 2: Surely, if you aren't happy you can go to the Ombudsman (PHSO)?**

**Answer:** Yes, that is correct. NHS Trust's must guide you to the PHSO, if you are not satisfied with their response. However, as shown by their own data, the PHSO only investigates approx. 2.7% of all complaints they receive. For 2022-23 – meaning of the 27,441 cases submitted, they ONLY investigated 642 of them. The latest Service update from the PHSO, March 2024, states "We now only look further into the more serious cases." So it is likely, the number of cases and percentage of cases being investigated will only further reduce.

### **Question 3: I have heard people asking if we are against the NHS?**

**Answer:** No. We are most certainly NOT against the NHS. In fact, we are strong advocates for it. The campaign group was set up to support the NHS and bring about positive change to it.

### **Question 4: Do we think all Doctors are liars?**

**Answer:** Not at all. We are supportive of NHS staff, and appreciate the vast majority are hardworking, often working under difficult conditions. We do have experiences as a group where things have gone wrong, and a complaint has been necessary. As patients and their families, we want to overcome the lack of transparency, in order to know what happened, how it happened, and what will be done to stop it happening again.

### **Question 5: Do we won't to bring in Private Healthcare systems like the USA?**

**Answer:** No. absolutely not. We are completely against the concept of an American style health service, and fully believe in the free at point of care NHS that we have, and the ethos and philosophies set out at its conception by Aneurin Bevan.

### **Question 6: Won't this proposal take money away from an already failing NHS?**

**Answer:** No. Our Campaign will be producing a proposal whereby the cost to establish the new Independent NHS Complaints Service would come from central government, not from the existing funding for the NHS. However, to run this service, we are proposing that this can be undertaken utilising the existing monies spent by NHS Trusts in doing their current Complaints and investigation work.

### **Question 7: How much will it cost?**

**Answer:** We propose that the annual running costs would be met by the monies already being spent across the country by NHS Trusts on undertaking their required complaints service. We note that it is not uncommon that the investigations undertaken by NHS Trusts themselves are often challenged and have to be re-done. This is known to be the case, with some complaints being investigated 3 or 4 times.

We also know that NHS Trusts employ outside investigators to conduct investigations into their own staff, when whistleblowing concerns are raised. Our proposals mean that all these additional costs would be negated, as the independent NHS Complaints Service, would be able to take on ALL of these roles.

**Question 8: Do NHS Staff support this?**

**Answer:** Yes. Within the campaign group, we have many members who are existing or ex-NHS staff. Those in the group are clearly very supportive of our campaign. When we have pitched our campaign to NHS groups, we have only had positive feedback. We always welcome input from current NHS staff.

**Question 9: How will it benefit those not making a complaint?**

**Answer:** The campaign to create an independent NHS Complaints Service, has the potential to provide widespread benefits across the entire NHS. One huge benefit being that potential improvements arising from complaints are being totally missed. The wealth of insight acquired from specially trained investigators, undertaking timely and robust investigations, will ensure that all opportunities for learning are identified. Our proposals ensures complaints are not dismissed or covered up to save face. By having a central and independent NHS Complaints service, lessons learnt can be rolled out not just in one NHS Trust, but all NHS Trusts. Best practice improves, patient safety and outcomes improve, to the benefit of everyone.

**Question 10: “We already have an independent watchdog, with the PHSO (Ombudsman). Why do we need this?”**

**Answer:** The PHSO, is meant to be an independent watchdog for the NHS. However, as noted above, they have limited resources, investigate on a tiny fraction of cases, and this statistic is only getting worse. Additionally, the PHSO hold no enforcement powers at all. The “best” they can achieve is to make a “recommendation” to the offending NHS Trust. To really understand this, take this direct quote from a PHSO Caseworker “I’m sorry to say that, even IF I did find wrongdoing by the Trust, I can’t even promise I can get them to apologise”. Our proposals would mean the new Independent NHS Complaints Service, would be empowered to undertake thorough investigations, access records and notes in a timely fashion, not relying on NHS Trusts to release this at their leisure. These same enforcement powers, would ensure the implementation of the wealth of improvements identified through the process.

**Question 11: "What's the point of it, if all associated channels are biased in favour of the NHS?"**

**Answer:** This is one of the key and fundamental reasons that we are campaigning. We believe that a truly Independent NHS Complaints service will be fair, honest and accountable, and not be biased towards the NHS Trusts – but ensure patients and their families voices are heard, and concerns fairly and effectively investigated.

**Question 12: Does the group have any backing from any MPs or Professionals, etc.?**

**Answer:** Yes. Our campaign has been and will continue to reach out to MP’s and other professional and campaign organisations. We are building working relationships with many other established campaigners, organisations with parallel aims, and an increasing number of MP’s. We will be updating our website in the near future, to reflect these connections and support network that we are building.